TRENTON H. NORRIS (SBN 164781) THOMAS S. HIXSON (SBN 193033) MAZEN M. BASRAWI (SBN 235475) ERICA BRAND PORTNOY (SBN 244923) Three Embarcadero Center San Francisco, CA 94111-4067 Telephone: 415.393.2000 Facsimile: 415.393.2286 Email: trent.norris@bingham.com thomas.hixson@bingham.com mazen.basrawi@bingham.com erica.brand@bingham.com of thomas.hixson@bingham.com mazen.basrawi@bingham.com DOLL AMIR & ELEY LLP GREGORY L. DOLL (SBN 193205) HUNTER R. ELEY (SBN 224321) 1888 Century Park East, Suite 1106 Los Angeles, CA 90067 Telephone: 310.557.9101 Email: gdoll@dollamir.com heley@dollamir.com heley@dol	BINGHAM MCCUTCHEN LLP	
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Defendants. Judge: Honorable Jeffrey S. White	and DOES 1 through 100, inclusive,	
Defendants.		
	Defendants.	· ·

Case No.: C 07-3983 JSW

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1	I, Marco Heithaus declare:	
2	1. I am one of the co-owners of Jonathan Browning, Inc., the Plaintiff in this	
3	action. I have personal knowledge of the facts set forth in this declaration, and if called to	
4	testify, I could and would competently testify to them.	
5	2. On or about July 10, 2007, Jonathan Browning delivered to the Copyright	
6	Office the deposit, application, and fee required for registration of the Trianon and Ledoux	
7	sconces designed by Jonathan Browning for Jonathan Browning, Inc.	
8	3. Registration of the designs of the Trianon and Ledoux sconces was	
9	refused in letters dated July 18 and August 1, 2007 from Examiner Cynthia Hutchins of the	
10	Copyright Office. I received these letters prior to the filing of the Complaint in this matter.	
11	4. On April 19, 2006, I received a fax in our San Francisco office from	
12	Aileen Pauco, Buyer for the Venetian Resort Hotel and Casino. A true and correct copy of the	
13	fax cover page from Aileen Pauco addressed to me, Marco Heithaus, dated April 19, 2006, is	
14	attached hereto as Exhibit A.	
15	I swear under penalty of perjury under the laws of the United States that the	
16	foregoing is true and correct and that this declaration was signed in San Francisco, California on	
17	October 3, 2007.	
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19	/s/ Marco Heithaus Marco Heithaus	
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